

Order

Michigan Supreme Court
Lansing, Michigan

September 21, 2011

Robert P. Young, Jr.,
Chief Justice

142956

Michael F. Cavanagh
Marilyn Kelly
Stephen J. Markman
Diane M. Hathaway
Mary Beth Kelly
Brian K. Zahra,
Justices

NANCY JANE DeFRAIN, Personal
Representative of the Estate of
WILLIAM DeFRAIN,
Plaintiff-Appellee,

v

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,
Defendant-Appellant.

SC: 142956
COA: 294505
Wayne CC: 08-125814-NF

On order of the Court, the application for leave to appeal the March 10, 2011 judgment of the Court of Appeals is considered. We direct the Clerk to schedule oral argument on whether to grant the application or take other action. MCR 7.302(H)(1). At oral argument, the parties shall address whether this case is controlled by *Jackson v State Farm Mutual Automobile Insurance Company*, 472 Mich 942 (2005), and whether the 30-day notice requirement regarding hit-and-run accidents in the defendant's policy is enforceable without a showing of prejudice to the defendant due to the claimant's failure to comply with the provision. The parties may file supplemental briefs within 42 days of the date of this order, but they should not submit mere restatements of their application papers.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 21, 2011

Corbin R. Davis

Clerk